

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED
MAY 18 2018
PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY 174 DEP CLK

MARGARET REAVES, PRO SE

CASE NO. 5:18-CV-221-FL

Plaintiff,

VS.

JOHN T. BENJAMIN JR
JAKE R. GARRIS
CECIL CAPP
PHILIP A. GLASS

Defendants.

COMPLAINT

Margaret Reaves ("Plaintiff," "Borrower"), individually, alleges as follows

NATURE OF THE ACTION

1. Plaintiff brings this action on her own behalf whose residential mortgage loan is or was at any time serviced by one or more of the Defendants.
2. As alleged herein, Defendant. violated federal, state and common law in connection with its servicing of Plaintiff's mortgage loans. Defendants have wrongfully; (i) Started foreclosure without proper authority;

§ 45-107. Foreclosure filing. The clerk of superior court or other judicial officer may have access to the pre-foreclosure database to confirm information provided in subsection (a) of this section. A materially inaccurate statement in the certification shall be cause for dismissal

without prejudice of any foreclosure proceeding on a primary residence initiated by the mortgage servicer and for payment by the filing party of costs incurred by the borrower in defending the foreclosure proceeding. (2008-226, s. 1; 2010-158, ss. 1, 9; 2012-79, s. 2.17(g).)

(ii) failed to respond to inquiries by plaintiff within the time required by law; (iii) when it did respond, Defendant failed to do so timely as required by law; (iv) failed to properly credit payments received from plaintiff; (v) failed to notify plaintiff that payments received from her were not being credited, but rather held for an unreasonable duration of time; (vi) failed to return within a reasonable time payments that were not credited to Plaintiff; (vii) failed to provide Plaintiff with true and accurate explanations of the activity in her accounts and/or of the specific reasons for actions taken by Defendant; (viii) notified Plaintiff that they and other Defendant had commenced foreclosure or other proceedings, notwithstanding that it was not permitted to commence those proceedings; (ix) failed to timely and clearly advise Plaintiff of changes to her obligations predicated upon Defendant's fiat; and (x) frustrated and/or harassed Plaintiff who attempted to find out more information concerning her mortgages and her rights and obligations thereunder. Indeed, Defendant have been charged by various state Attorneys General of acting deceptively to its "clients" in connection with the performance of its duties.

ALL ATTACHED IS
A - PART OF COMPLAINT

CERTIFICATE OF SERVICE

JOHN T. BENJAMEN JR.

JAKE B. GARRIS

1115 Hillsborough, Street

Raleigh, North Carolina

MARGARET REAVES

604 Sardis Drive

Raleigh North Carolina

27603

May 17 2018

919-559-8729

CERTIFICATE OF SERVICE

CECIL CADDS INSURANCE AND

Realty COMPANY INC

3670 SUNSET AVENUE

Rocky Mount, North Carolina

27804

Margaret Deane

604 Sarah Drive

Raleigh, North Carolina

27603

919-559-8729

MAY 17 2018

CERTIFICATE OF SERVICE

Phillip A Glass

5540 CENTERVIEW DRIVE

Suite 416

Raleigh, North Carolina

27606

MARGARET REAVES

604 SARDIS DRIVE

Raleigh, North Carolina

27603

MAY 17 2018

919-55-9-8729